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BCP

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/141,210 08/27/98 MATTISON P 042390.P4817

WM31/0718
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EXAMINER

KASSA, Y

ART UNIT

PAPER NUMBER

2621

DATE MAILED:

07/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/141,210

Applicant(s)

MATTISON, PHILLIP E.

Examiner

YOSEF KASSA

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Response to Arguments

Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsai (5,495,581).

With regard to claim 1, Tsai discloses a machine-readable medium (fig. 26, element 301), having instructions that when executed by a processor (fig. 24 element 375 and 376), an image object, i.e., document file data (col. 18, lines 40-47), the first method, i.e., translating method 304 (see fig. 26), as part of an image object, i.e., file, (col. 18, lines 20-21), for being executed by an abstract machine, i.e., processor 376, to obtain first translated image data based upon the first image , i.e., translating the native format data into a form that can be displayed on the image forming screen (see col. 18 lines 48-55).

Claims 2 and 3 are rejected the same as claim 1. Thus, arguments analogous to those presented above for claim 1 are applicable to claim 2 and 3.

With regard to claim 4, the first translated data is in the same format as the first data, i.e., using format translation rules provided by the file interpreter module the processor may translate the native format data (see col. 17, lines 32).

Claims 5, 7, 10 and 20 is rejected the same as claims 1. Thus, arguments analogous to those presented above for claims 1 are applicable to claims 5, 7, 10 and 20.

Claims 6, 19 and 21 is rejected the same as claim 4. Thus, arguments analogous to those presented above for claim 4 are applicable to claims 6, 19 and 21.

With regard to claim 11, the first image data is the sensor data (see fig. 26 element 301).

With regard to claim 12, second memory having instructions that when executed by the processor cause processing the sensor data into the first image data (see col. 18 lines 50).

Claims 13 is rejected the same as claim 12. Thus, arguments analogous to those presented above for claim 12 are applicable to claim 13.

With regard to claim 14, logic circuitry for processing the sensor data into the first image data (fig. 27 element 60).

With regard to claim 15, the logic circuitry performs a color interpolation algorithm on the sensor data (see col. 6, lines 7).

With regard to claim 16, interface to a communication medium for transferring the first image data and the first method to a processing system separate from the imaging device, the processing system being configured with said abstract machine (see fig. 26 element 301-306).

Claims 17 and 18 are rejected the same as claims 1 and 2. Thus, arguments analogous to those presented above for claims 1 and 2 are applicable to claims 17 and 18 .

Conclusion


3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent No. (5,872,978) to Hoskins discloses method and apparatus for improved translation of program data into machine code format. US Patent No. (5,884,262) to Wise et al discloses computer network audio access and conversion system. US Patent No. (5,752,055) to Redpath et al discloses systems and method for automatically linking parts within compound documents. US Patent No. (6,104,430) to Fukuoka discloses digital electronic still camera.

Any inquiry concerning this communication from examiner should be directed to Yosef Kassa whose telephone number is (703) 306-5918 and fax (703) 872-9314. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H. Boudreau, can be reached on (703) 305-4706.

YOSEF KASSA

Yosef Kassa

07/12/01



LEO BOUDREAU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.